## REMARKS

The above amendments and these remarks are responsive to the Office action dated March 28, 2007.

Prior to entry of this amendment, claims 22-26 remained pending in the application. As stated in the office action summary, claims 22-25 stand rejected under 35 U.S.C. §102(b) as being anticipated by Hales (503536). Claim 26 stands rejected under 35 U.S.C. §103(a) as being anticipated by Hales in view of St Marten et al (6371422).

Applicant respectfully traverses the rejections, and asserts that the rejected claims are not anticipated and not obvious in view of the cited art.

Nevertheless, to expedite prosecution of the present application to issuance of a patent and to more particularly point out selected aspects of the claims, Applicant has amended claims 22 and 25, cancelled claim 23 and added new claims 27-38. Applicant reserves the right to pursue any previously cancelled claims in their original forms at a later time.

Independent claims 22, 27 and 35 as amended include language describing the profile of frame components as including a door stop and recessed parallel surfaces and further include language describing segment end portions configured to receive the door stop and contact the recessed parallel surfaces.

### 35 U.S.C. § 102(b) Rejections

In order to anticipate a claim, a reference is required to recite each and every element of the rejected claim. Hales does not recite each and every feature of claim 22

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as amended. Hales does not recite vertical frame members, nor does Hales cite receiving a door stop at a spreader end portion.

A similar argument is made for dependent claims 23-25. Hales does not anticipate each and every element of claims 23-25.

**35 U.S.C. § 103(a) Rejections**

As Hales does not recite each and every feature of amended claim 22, Hales alone or in combination with St. Martin will fail to recite each and every feature of claim 26 depending from claim 22.

**New Claims**

New independent claim 27 is similar to claim 9 previously cancelled. In the Office action of February 28, 2007 claim 9 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite citing the terms "vertical frame component" and "unfolded." This language has been clarified in the new claims.

Independent claim 35 includes language similar to claim 18 previously cancelled. In the Office action of February 28, 2007 claim 18 was not rejoined under the reasoning that the method could be used with a shoring device. The amended claim language, including receiving a door stop at a member end portion directs the method claim specific to a door frame spreader.

**Examiner Interview**

The Applicant held an interview on the phone on July 24, 2007 at 2:00pm EST to discuss the cited art and proposed claim language. The Examiner suggested that the frame components would need to be included below the preamble. This suggestion has

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been incorporated in claim 22.

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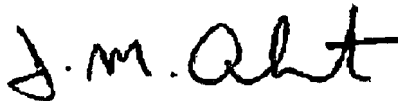Serial No. 10/772,552

## Conclusion

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims.

If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.
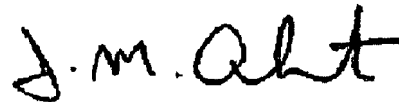
**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent by facsimile or deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on July 30, 2007.

Respectfully submitted,

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